



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,959	10/24/2003	Ronald L. Mahany	14407US02	1865
23446	7590	10/24/2007	EXAMINER	
MCANDREWS HELD & MALLOY, LTD			NGUYEN, PHUONGCHAU BA	
500 WEST MADISON STREET				
SUITE 3400			ART UNIT	PAPER NUMBER
CHICAGO, IL 60661			2616	
			MAIL DATE	DELIVERY MODE
			10/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/692,959	MAHANY ET AL.	
	Examiner	Art Unit	
	Phuongchau Ba Nguyen	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 33 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 May 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 10-51 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 10-51 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 24 October 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6-1-6;5-15-7;8-9-7</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections – 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-14, 16-22, 24-25, 38-42, 44-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Gillig (4,989,230).

Regarding claims 10, 18, 38,

Gillig (4,989,230) discloses in figure 2 a transceiver (cordless/cellular transceiver, fig.2) for use in a wireless network device (cordless/cellular phone) that operates in a communication system that includes a radio network (home network), the transceiver comprising:

a radio unit (cordless antenna, fig.2) configured to communicate with the radio network (shorter range network);

wherein the transceiver is operable to enable the wireless network device to participate as a master device (i.e., cordless phone) on the radio network.

Regarding claims 11, 19, 39, Gillig further discloses a main communication network (cellular network—which is coverage by the cellular base station 190, fig.1) and wherein the transceiver is capable of communicating with the main communication network (i.e., as when the cordless cellular telephone 10 communicates with cellular network—emphasis added).

Regarding claims 12, 20, 40, Gillig discloses a processor (microcomputer 130—fig.2) operable to control the communications of the radio unit with the radio network (cordless network) and capable of communicating with the main communication network (cellular network).

Regarding claims 13, 21, 41, Gillig further discloses wherein the wireless network device is operable to participate as a slave on the main communication

Art Unit: 2616

network (cellular network), see fig.1.

Regarding claims 14, 22, 42, Gillig further discloses wherein the main communication network comprises a wired communication network (i.e., Telco, fig.1).

Regarding claims 16, 24, 44, Gillig further discloses wherein the transceiver comprises an integrated circuit (fig.2).

Regarding claims 17, 25, 45, Gillig further discloses wherein the wireless network device is sized to be held by a user (fig.1, cellular/cordless phone).

Regarding claims 31, 37, 51, Gillig further discloses wherein the radio unit is configured to communicate with the radio network using spread spectrum signals (col.2, lines 48-51).

Claim Rejections – 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15, 23, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig as applied to claims 10, 18, 38 above, and further in view of Schellinger (5,442,680).

Regarding claims 15, 23, 43, Gillig does not disclose wherein the main communication network comprises a wireless communication network.

However, in the same field of endeavor, Schellinger (5,442,680) discloses cellular system coverage area (i.e., main network) comprising cordless system coverage area (i.e., home network). Therefore, it would have been obvious to an artisan to apply Schellinger's teaching to Gillig's system with the motivation being to allow user the mobility in various coverage areas.

5. Claims 26–28, 32–34, 46–50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillig as applied to claims 10, 18, 38 above, and further in view of Grube (5,125,103).

Regarding claims 26–28, 32–34, 46–50, Gillig does not disclose wherein the transceiver enables the wireless network device to manage/synchronize communications of a second wireless network device participating on the radio network, or/and with a third wireless network device participating on the radio network.

However, in the same field of endeavor, Grube (5,125,103) discloses transceiver of the wireless device (i.e., 111A-fig.1) communicating with other wireless devices. Therefore, it would have been obvious to an artisan to apply Grube's teaching to Gillig's system with the motivation being to allow communication units to communicate with other wireless device within its network.

Art Unit: 2616

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Phuongchau Ba Nguyen
Examiner
Art Unit 2616



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600